

# CHAPTER 13 PLAN

Case No. 12-40924-JJR13

Debtor(s): TERRY JOE LINDSEY

SS# XXX-XX-3137

Net Monthly Earnings: \_\_\_\_\_

**I. Plan Payments:**

Debtor propose to pay a periodic payment of \$ 300.00 [ ] weekly [ ] biweekly [ ] semi-monthly  monthly into the plan.

Length of plan is 60 months, and the total debt to be paid through the plan is \$ 18,000.00.

**II. From the payments received, the trustee shall make disbursements pursuant to the Bankruptcy Code including:**

**A. PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES AND SUPPORT0 (See §1322(a)(2)).**

The following priority claims, if allowed, will be paid in full unless creditor agrees otherwise:

Creditor	Type of Priority	Scheduled Amount	Monthly Payment
<u>NONE</u>			

**B. Total Attorney Fee: \$ 2,500.00 ; \$ -0- paid pre-petition; balance to be paid as funds become available**

**C. The holder of each SECURED CLAIM shall retain the lien securing such claim until a discharge is granted and such claim shall be paid in full with interest in deferred cash payments as follows:**

**1. Long Term Debts:**

Name of Creditor	Total Amount of Debt	Amount of regular pmt. to be paid	Regular Pmts. to begin: Mo./Yr	Arrears to be paid by Trustee	Months included in arrearage amount	Proposed Interest Rate on arrearage	Proposed Fixed payment on Arrearage
		<u>\$ 785.00</u>					
<u>Wells Fargo Mortgage</u>	<u>59,479.00</u>	<u>[X] by Debtor</u>	<u>06/12</u>	<u>5,900.00</u>	<u>7.5 months</u>	<u>none</u>	<u>101.72</u>

**2. Secured Debts (not long term) to be paid through Trustee:**

Name of Creditor	Adequate Protection Payment	Total Amount of Debt	Debtor's Value	Unsecured Portion	Description of Collateral	Proposed Interest Rate	Proposed Fixed Payments	Fixed Payment to Begin
<u>NONE</u>								

**III Other debts (not shown in 1 or 2 above) which Debtor(s) propose to pay direct:**

Name of Creditor	Total Amt. of Debt	Amount of Regular Payment	Description of Collateral Property or Debt	Reason for Direct Payment
<u>NONE</u>				

**IV Special Provisions:**

This is an Original Plan.

[ ] This is an amended plan replacing plan dated \_\_\_\_\_.

This plan proposes to pay unsecured creditors approximately 15 %.

[ ] Debtor [ ] assumes [ ] rejects lease and/or executory contract with \_\_\_\_\_.

[ ] Other provisions: (A). There is no equity in Debtor's residence in excess of the first mortgage payoff. The Debtor will file an adversary proceeding to have the second mortgage claim held by GMAC Mortgage declared to be wholly unsecured, with GMAC Mortgage to be allowed an unsecured claim.

Attorney for Debtor Name/Address/Phone#

Robert D. McWhorter, Jr.  
Post Office Drawer 287  
Gadsden, Alabama 35902  
256-546-1656  
Fax 256-546-1093

Dated: May 29, 2012

/s/ Terry Joe Lindsey

Terry Joe Lindsey - Debtor

/s/ Robert D. McWhorter, Jr.

Robert D. McWhorter, Jr. - Attorney for Debtor

**Certificate of Service**

The undersigned hereby certifies that a copy of the foregoing Chapter 13 Plan has been served on the Chapter 13 Trustee and all creditors and parties in interest as shown on the attached mailing matrix, by placing said copies in the U.S. Mails, properly addressed, with sufficient postage affixed, First Class, this 29<sup>th</sup> day of May, 2012.

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Robert D. McWhorter, Jr.  
Attorney for Terry Joe Lindsey

Bar No. ASB-0261-M68R

**OF COUNSEL:**

Inzer, Haney & McWhorter, P.A.  
Post Office Drawer 287  
Gadsden, Alabama 35902  
256-546-1656

Label Matrix for local noticing  
1126-1  
Case 12-40924-JJR13  
NORTHERN DISTRICT OF ALABAMA  
Anniston  
Tue May 29 15:11:41 CDT 2012

Asset Acceptance LLC  
P O Box 2036  
Warren MI 48090-2036

Wells Fargo Bank, N.A.  
c/o Thomas G. Tuttent, Jr.  
PO Box 55887  
Birmingham, AL 35255 5887

U. S. Bankruptcy Court  
1129 Noble Street, Room 117  
Anniston, AL 36201-4674

Capital One  
P O Box 30281  
Salt Lake City UT 84130-0281

Cherokee Medical Center  
c/o PASI  
P O Box 188  
Brentwood TN 37024-0188

FNMA  
c/o Dyck-O'Neal Inc  
P O Box 13370  
Arlington TX 76094-0370

GMAC Mortgage  
ATTN Bankruptcy Dept  
1100 Virginia Drive  
Port Washington PA 19034-3204

GMAC Mortgage LLC  
P O Box 4622  
Waterloo IA 50704-4622

Wells Fargo Bank N A  
1 Home Campus - Bankruptcy  
MAC#X2302-04C  
Des Moines IA 50328-0001

Wells Fargo Home Mortgage  
P O Box 10335  
Des Moines IA 50306-0335

Linda Baker Gore  
NON-PAYMENTS: P.O. Box 1338  
Gadsden, AL 35902

Robert D McWhorter Jr  
Post Office Drawer 287  
Gadsden, AL 35902-0287

Terry Joe Lindsey  
101 Kay Street  
Centre, AL 35960-1526

End of Label Matrix  
Mailable recipients 13  
Bypassed recipients 0  
Total 13